



10-02-01

DAC \$ 4.9

Attorney Docket No. 501

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Sunil Tomar et al.

Serial No.: 09/660,837

Filed: September 14, 2000

For: METHODS AND APPARATUSES FOR  
SERIAL TRANSFER OF SONET FRAMED  
DATA BETWEEN MULTIPLE  
COMPONENTS OF A SONET SYSTEM

Group Art Unit: Unassigned

Examiner: Unassigned

RECEIVED

OCT 05 2001

Attn: Box DAC  
Assistant Commissioner for Patents  
Washington, D.C. 20231

OFFICE OF PETITIONS

Sir/Madam:

## REQUEST FOR RECONSIDERATION OF PETITION UNDER 37 C.F.R. § 1.47(a)

Applicants respectfully request reconsideration of the Decision Refusing Status Under 37 C.F.R. § 1.47(a) (the "Decision") dated May 29, 2001, the period for response to which has been extended through October 1, 2001 (September 29, 2001 being a Saturday) by a Petition for Extension of time and fee payment filed contemporaneously herewith.

The above-referenced application was filed on September 14, 2000, with an unexecuted declaration. Sunil Tomar, Arvind Bhaskar Patwardham, and Srinvasarao Neelamraju were named as joint inventors in the application. On November 3, 2000, Applicants were mailed a "Notice to file Missing Parts of Application" (the "Notice") requiring an executed oath or declaration, and a surcharge for late filing. In response to the Notice, Applicants paid the surcharge, and filed a declaration signed by each of the above co-inventors on their own behalf and on behalf of Neelamraju, and filed a petition under 37 C.F.R. §

Certification Under 37 C.F.R. Section 1.10

I hereby certify that this Request and the documents indicated as attached thereto are being deposited with the United States Postal Service on this date October 1, 2001 in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EL869633185US addressed to Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231.

David L. Soliz  
(type or print name of person mailing paper)

(signature of person mailing paper)

1.47(a) on January 8, 2001. Applicants' petition was denied in the Decision.

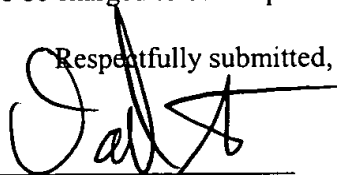
In response to the Decision, Applicants submit herewith a declaration signed by Neelamraju. Since declarations signed by each of the co-inventors are of record in this case, Applicants respectfully submit that the points raised in the Decision are moot, and the above-referenced application is complete.

Applicants respectfully request that the above-referenced application be forwarded to the appropriate examining group for further consideration.

Please charge a two month extension of \$400.00 to our Deposit Account No. 50-0308. If there are any other fees due in connection with the filing of this Request, please charge the fees to our Deposit Account. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Dated: October 1, 2001

By:

Respectfully submitted,  
  
\_\_\_\_\_  
David L. Soltz  
Reg. No. 34,731

Attachments: Declaration signed by Srinivasarao Neelamraju

*CIENA Corporation*  
Legal Department  
1201 Winterson Road  
Linthicum, MD 21090  
Tel.: (410) 865-8078  
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COPY

ASSIGNMENT

WHEREAS I, the below named inventor, hereinafter referred to as Assignor, has made an invention entitled:

METHODS AND APPARATUSES FOR SYNCHRONIZING DATA CONVERSION OF SONET  
FRAMED DATA

for which We executed an application for United States Letters Patent Serial No. 09/661,496 filed September 14, 2000 and

WHEREAS, Cyras Systems, LLC, a corporation of Delaware whose post office address is 47100 Bayside Parkway, Fremont, California 94538 (hereinafter referred to as Assignee), is desirous of securing the entire right, title, and interest in and to this invention in all countries throughout the world, and in and to the application for United States Letters Patent on this invention and the Letters Patent to be issued upon this application;

NOW THEREFORE, be it known that for good and valuable consideration the receipt of which from assignee is hereby acknowledged, I, as assignor, have sold, assigned, transferred, and set over, and do hereby sell, assign, transfer, and set over unto the assignee, its lawful successors and assigns, our entire right, title, and interest in and to this invention and this application, and all divisions, and continuations thereof, and all Letters Patent of the United States which may be granted thereon, and all reissues thereof, and all rights to claim priority on the basis of such application, and all applications for Letters Patent which may hereafter be filed for this invention in any foreign country and all Letters Patent which may be granted on this invention in any foreign country, and all extensions, renewals, and reissues thereof; and I hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any foreign country whose duty it is to issue patents on applications as described above, to issue all Letters Patent for this invention to assignee, its successors and assigns, in accordance with the terms of this Assignment;

AND, I HEREBY covenant that I have the full right to convey the interest assigned by this Assignment, and I have not executed and will not execute any agreement in conflict with this Assignment;

AND, I HEREBY further covenant and agree that I will, without further consideration, communicate with assignee, its successors and assigns, any facts known to us respecting this invention, and testify in any legal proceeding, sign all lawful papers when called upon to do so, execute and deliver any and all papers that may be necessary or desirable to perfect the title to this invention in said assignee, its successors or assigns, execute all divisional, continuation, and reissue applications, make all rightful oaths and generally do everything possible to aid assignee, its successors and assigns, to obtain and enforce proper patent protection for this invention in the United States and any foreign country, it being understood that any expense incident to the execution of such papers shall be borne by the assignee, its successors and assigns.

IN TESTIMONY WHEREOF, I have hereunto set my hand.

  
Srinivasarao Neelamraju

Dated: 7/15/01